

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT NO. 2465 OF 2005

Mahendra Gulabrai Doshi ..Plaintiff.

Versus
Rajesh K. Jogani ..Defendant.

Mr. A.B. Salunke i/by M/s.S. Ashwinikumar & Co. for
the Plaintiff.

None for the Defendant.

CORAM : S. J. VAZIFDAR, J.
DATED : 23rd NOVEMBER, 2005.

P.C.:

1. The suit is filed to recover the balance amount out of the amount lent and advanced by the plaintiff to the defendant. The plaintiff has tendered a compilation of the original documents. The same is taken on record and marked 'A' collectively.

2. The receipt of the loan is acknowledged in writing. By the writing, the defendant has agreed to repay the amount. He made a part payment. Regarding the balance, the defendant executed an undertaking, admitting his liability and agreed to discharge the same. The cheque of the balance amount was dishonoured. The plaintiff's Advocate's notice, demanding repayment, was replied by the defendant,

admitting his liability.

3. The plaintiff's claim is clearly established. There is nothing on record that militates against the plaintiff's case.

4. In the circumstances, the suit is decreed as prayed.

5. Refund as per rules.

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